

[illegible]

Civil Action No.: 2:23-cv-01294-JHE

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CAB and is without sufficient information to admit or deny the remaining allegations in paragraph 3 and therefore deny the same.

4. Defendant Coleman admits that the CAB was created in the 1970s, but is without sufficient information to admit or deny the remaining allegations in Paragraph 4 and therefore denies the same.

### **JURISDICTION AND VENUE**

5. Denied.

6. Denied.

### **PARTIES**

7. Defendant Coleman is without sufficient information to admit or deny the allegations in Paragraph 7.

8. Defendant Coleman is without sufficient information to admit or deny the allegations in Paragraph 8.

9. Admitted.

10. Admitted.

11. Admitted.

12. Defendant Coleman is neither a Birmingham elections official nor organizes or conducts any relevant Birmingham election, and, as a result, is without information sufficient to form a belief about the truth of the allegations in Paragraph

2.

**FACTS**

13. Defendant Coleman is a neither a Birmingham elections official nor organizes or conducts any relevant Birmingham election, and, as a result, is without information sufficient to form a belief about the truth of the allegations in Paragraph 13. However, the documents referenced in this paragraph speak for themselves.

14. Defendant Coleman is a neither a Birmingham elections official nor organizes or conducts any relevant Birmingham election, and, as a result, is without information sufficient to form a belief about the truth of the allegations in Paragraph 14. However, the documents referenced in this paragraph speak for themselves.

15. Defendant Coleman is a neither a Birmingham elections official nor organizes or conducts any relevant Birmingham election, and, as a result, is without information sufficient to form a belief about the truth of the allegations in Paragraph 15. However, the documents referenced in this paragraph speak for themselves.

16. Defendant Coleman is a neither a Birmingham elections official nor organizes or conducts any relevant Birmingham election, and, as a result, is without information sufficient to form a belief about the truth of the allegations in Paragraph 16. However, the documents referenced in this paragraph speak for themselves.

17. Defendant Coleman is a neither a Birmingham elections official nor organizes or conducts any relevant Birmingham election, and, as a result, is without

information sufficient to form a belief about the truth of the allegations in Paragraph 17. However, the documents referenced in this paragraph speak for themselves. 18. Defendant Coleman is a neither a Birmingham elections official nor organizes or conducts any relevant Birmingham election, and, as a result, is without information sufficient to form a belief about the truth of the allegations in Paragraph 18. However, the documents referenced in this paragraph speak for themselves.

19. Defendant Coleman is a neither a Birmingham elections official nor organizes or conducts any relevant Birmingham election, and, as a result, is without information sufficient to form a belief about the truth of the allegations in Paragraph 19. However, the documents referenced in this paragraph speak for themselves.

20. Defendant Coleman is a neither a Birmingham elections official nor organizes or conducts any relevant Birmingham election, and, as a result, is without information sufficient to form a belief about the truth of the allegations in Paragraph 19. However, the documents referenced in this paragraph speak for themselves.

21. Defendant Coleman is without sufficient information to admit or deny the allegation in Paragraph 21.

22. Admitted.

23. Defendant Coleman is a neither a Birmingham elections official nor organizes or conducts any relevant Birmingham election, and, as a result, is without information sufficient to form a belief about the truth of the allegations in Paragraph

23. Defendant Coleman is neither a Birmingham elections official nor organizes or conducts any relevant Birmingham election, and, as a result, is without information sufficient to form a belief about the truth of the allegations in Paragraph 24.

25. Defendant Coleman is neither a Birmingham elections official nor organizes or conducts any relevant Birmingham election, and, as a result, is without information sufficient to form a belief about the truth of the allegations in Paragraph 25.

26. Defendant Coleman is neither a Birmingham elections official nor organizes or conducts any relevant Birmingham election, and, as a result, is without information sufficient to form a belief about the truth of the allegations in Paragraph 26.

27. Defendant Coleman is neither a Birmingham elections official nor organizes or conducts any relevant Birmingham election, and, as a result, is without information sufficient to form a belief about the truth of the allegations in Paragraph 27.

28. Defendant Coleman is without sufficient information to admit or deny the allegations in Paragraph 28.

29. Defendant Coleman is neither a Birmingham elections official nor organizes or conducts any relevant Birmingham election, and, as a result, is without

information sufficient to form a belief about the truth of the allegations in Paragraph 29. 30. Defendant Coleman is a neither a Birmingham elections official nor organizes or conducts any relevant Birmingham election, and, as a result, is without information sufficient to form a belief about the truth of the allegations in Paragraph 30.

31. Defendant Coleman is a neither a Birmingham elections official nor organizes or conducts any relevant Birmingham election, and, as a result, is without information sufficient to form a belief about the truth of the allegations in Paragraph 31.

32. Defendant Coleman is without sufficient information to admit or deny the allegations in Paragraph 32.

33. Defendant Coleman is without sufficient information to admit or deny the allegations in Paragraph 33.

34. Defendant Coleman is without sufficient information to admit or deny the allegations in Paragraph 34.

35. Defendant Coleman is without sufficient information to admit or deny the allegations in Paragraph 35.

36. Defendant Coleman is a neither a Birmingham elections official nor organizes or conducts any relevant Birmingham election, and, as a result, is without information sufficient to form a belief about the truth of the allegations in Paragraph

36.

37. Defendant Coleman is a neither a Birmingham elections official nor organizes or conducts any relevant Birmingham election, and, as a result, is without information sufficient to form a belief about the truth of the allegations in Paragraph 37. .

38. Defendant Coleman is a neither a Birmingham elections official nor organizes or conducts any relevant Birmingham election, and, as a result, is without information sufficient to form a belief about the truth of the allegations in Paragraph 38.

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40. Defendant Coleman is a neither a Birmingham elections official nor organizes or conducts any relevant Birmingham election, and, as a result, is without information sufficient to form a belief about the truth of the allegations in Paragraph 40.

41. Defendant Coleman is a neither a Birmingham elections official nor organizes or conducts any relevant Birmingham election, and, as a result, is without information sufficient to form a belief about the truth of the allegations in Paragraph

41. However, the documents referenced in this paragraph speak for themselves.

42. Defendant Coleman is a neither a Birmingham elections official nor organizes or conducts any relevant Birmingham election, and, as a result, is without information sufficient to form a belief about the truth of the allegations in Paragraph 42.

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63. Defendant Coleman is a neither a Birmingham elections official nor organizes or conducts any relevant Birmingham election, and, as a result, is without information sufficient to form a belief about the truth of the allegations in Paragraph 63.

64. Defendant Coleman is without sufficient information to admit or deny the allegations in Paragraph 64.

65. Defendant Coleman is a neither a Birmingham elections official nor organizes or conducts any relevant Birmingham election, and, as a result, is without information sufficient to form a belief about the truth of the allegations in Paragraph 65.

66. Defendant Coleman is a neither a Birmingham elections official nor organizes or conducts any relevant Birmingham election, and, as a result, is without

information sufficient to form a belief about the truth of the allegations in Paragraph 66.

67. Defendant Coleman is a neither a Birmingham elections official nor organizes or conducts any relevant Birmingham election, and, as a result, is without information sufficient to form a belief about the truth of the allegations in Paragraph 67.

68. Defenant Coleman is without sufficient information to admit or deny the allegations in Paragraph 68.

69. Defendant Coleman is a neither a Birmingham elections official nor organizes or conducts any relevant Birmingham election, and, as a result, is without information sufficient to form a belief about the truth of the allegations in Paragraph 69.

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72. Defendant Coleman is a neither a Birmingham elections official nor organizes or conducts any relevant Birmingham election, and, as a result, is without information sufficient to form a belief about the truth of the allegations in Paragraph 72.

73. Defendant Coleman is a neither a Birmingham elections official nor organizes or conducts any relevant Birmingham election, and, as a result, is without information sufficient to form a belief about the truth of the allegations in Paragraph 73.

74. Defendant Coleman admits that the CAB received a report regarding the Glen Iris election and that the documents and/or reports referenced therein speak for themselves.

75. Defendant Coleman is a neither a Birmingham elections official nor organizes or conducts any relevant Birmingham election, and, as a result, is without information sufficient to form a belief about the truth of the allegations in Paragraph 75.

76. Defendant Coleman is a neither a Birmingham elections official nor organizes or conducts any relevant Birmingham election, and, as a result, is without information sufficient to form a belief about the truth of the allegations in Paragraph 76.

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82. Defendant Coleman is a neither a Birmingham elections official nor

organizes or conducts any relevant Birmingham election, and, as a result, is without information sufficient to form a belief about the truth of the allegations in Paragraph 82.

83. Defendant Coleman is a neither a Birmingham elections official nor organizes or conducts any relevant Birmingham election, and, as a result, is without information sufficient to form a belief about the truth of the allegations in Paragraph 83.

84. Defendant Coleman is a neither a Birmingham elections official nor organizes or conducts any relevant Birmingham election, and, as a result, is without information sufficient to form a belief about the truth of the allegations in Paragraph 84.

85. Defendant Coleman is without sufficient information to admit or deny the allegations in Paragraph 85 but admits that the documents referenced therein speak for themselves.

86. Defendant Coleman is without sufficient information to admit or deny the allegations in Paragraph 86 but admit that the documents referenced therein speak for themselves.

87. Defendant Coleman is without sufficient information to admit or deny the allegations in Paragraph 87 but admits that the documents referenced therein speak for themselves.



88. Defendant Coleman denies the allegations in Paragraph 88.

89. Defendant Coleman is without sufficient information to admit or deny the allegations in Paragraph 89.

90. Defendant Coleman is without sufficient information to admit or deny the allegations in Paragraph 90

91. Defendant Coleman is without sufficient information to admit or deny the allegations in Paragraph 91.

92. Defendant Coleman is a neither a Birmingham elections official nor organizes or conducts any relevant Birmingham election, and, as a result, is without information sufficient to form a belief about the truth of the allegations in Paragraph 92.

93. Defendant Coleman is a neither a Birmingham elections official nor organizes or conducts any relevant Birmingham election, and, as a result, is without information sufficient to form a belief about the truth of the allegations in Paragraph 93.

94. Defendant Coleman is without sufficient information to admit or deny the allegations in Paragraph 94

95. Defendant Coleman is without sufficient information to admit or deny the allegations in Paragraph 95

96. Defendant Coleman is a neither a Birmingham elections official nor

organizes or conducts any relevant Birmingham election, and, as a result, is without information sufficient to form a belief about the truth of the allegations in Paragraph 96.

97. Defendant Coleman is a neither a Birmingham elections official nor organizes or conducts any relevant Birmingham election, and, as a result, is without information sufficient to form a belief about the truth of the allegations in Paragraph 96.

98. Defendant Coleman is without sufficient information to admit or deny the allegations in Paragraph 87 but admits that the news articles referenced therein speak for themselves.

99. Defendant Coleman is without sufficient information to admit or deny the allegations in Paragraph 99 but admit that the documents referenced therein speak for themselves.

100. Defendant Coleman is without sufficient information to admit or deny the allegations in Paragraph 100 but admit that the documents referenced therein speak for themselves.

101. Defendant Coleman denies that CAB leadership made threats to leadership of the GINA.

102. Defendant Coleman denies that CAB leadership made threats to to Burton, Thompson and Speake. Defendant Coleman is without sufficient

information to admit or deny the remaining allegations in Paragraph 102.

## **FIRST CLAIM**

### **§ 1983 Due Process**

#### **All Plaintiffs against All Defendant**

103. Defendant Coleman references incorporates Paragraphs 1 – 102 as if stated herein.

104. To the extent this Paragraph is directed at Defendant Colaman, denied.

105. To the extent this Paragraph is directed at Defendant Colaman,, denied.

106. To the extent this Paragraph is directed at Defendant Colaman, denied.

## **SECOND CLAIM**

### **§ 1983 Equal Protection**

#### **Plaintiff Thompson against All Defendants**

107. Defendant Coleman references incorporates Paragraphs 1 – 107 as if stated herein.

108. Defendant Coleman is a neither a Birmingham elections official nor organizes or conducts any relevant Birmingham election, and, as a result, is without information sufficient to form a belief about the truth of the allegations in Paragraph 108.

109. Defendant Coleman is a neither a Birmingham elections official nor

organizes or conducts any relevant Birmingham election, and, as a result, is without information sufficient to form a belief about the truth of the allegations in Paragraph 109.

110. To the extent this Paragraph is directed at Defendant Colaman, denied.

### **THIRD CLAIM**

#### **Defamation – State Law**

#### **Plaintiffs Thompson and Burton; Defendants Williams, Harden, & Coleman**

111. Defendant Coleman references incorporates Paragraphs 1 – 107 as if stated herein.

112. To the extent this Paragraph is directed at Defendant Colaman, denied.

113. To the extent this Paragraph is directed at Defendant Colaman, denied.

114. To the extent this Paragraph is directed at Defendant Colaman, denied.

115. To the extent this Paragraph is directed at Defendant Colaman, denied.

116. To the extent this Paragraph is directed at Defendant Colaman, denied.

#### **PRAYER FOR RELIEF**

Defendant Coleman denies the allegations contained in Plaintiff's prayer for relief following Paragraph 116, including Paragraphs "1" through "6," and denies that Plaintiffs are entitled to any of the relief sought in this action. Defendant Coleman denies all allegations in the Complaint that are not expressly admitted

herein.

### JURY DEMAND

Defendant Coleman demands a jury trial on all issues so triable.

### **AFFIRMATIVE DEFENSES**

In further response to Plaintiffs' Complaint, Defendant Coleman submits the following defenses:

1. Defendant Coleman denies any allegations contained in the Complaint, which have not been admitted expressly.
2. Defendant Coleman denies the material allegations of the Complaint and the damages alleged in the Complaint, and demands strict proof thereof at trial.
3. Plaintiff has sued the wrong party.
4. Plaintiff's Complaint and each and every claim purportedly set forth therein fails to state a claim upon which relief can be granted against Defendant Coleman.
5. Plaintiff has failed to establish that Defendant Coleman deprived them of his constitutionally or federally protected rights.
6. The Complaint is a shotgun pleading in violation of Fed. R. Civ. P. 8(a)(2) and 10(b).

7. Defendant Coleman's actions and decisions regarding Plaintiff were justified in all respects.

8. Any judgment against Defendant Coleman in this action should be limited and/or Defendant Coleman should receive a credit or setoff in the amount of any settlement or other monies paid by any other party, non-party, or other source to Plaintiffs in connection with their claims.

9. Defendant Coleman reserves the right to assert any additional defenses and to amend these defenses as discovery progresses or otherwise in the course of this litigation.

WHEREFORE, Defendant Jimmie Coleman respectfully requests that the Complaint be dismissed; that judgment be entered in his favor; and that he be awarded attorney fees and costs of suit.

/s/Elizabeth H. Huntley  
One of the Attorneys for  
Defendant Jimmie Coleman

OF COUNSEL:

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**CERTIFICATE OF SERVICE**

I hereby certify that on November 3, 2023, I electronically filed the foregoing through the Court's CM/ECF system, thereby providing notification to all counsel of record, or, sent a true and correct copy by depositing a copy of same in the United States Mail, postage prepaid to the following:

Richard A. Rice  
The Rice Firm, LLC  
115 Richard Arrington Jr. Blvd. N  
Birmingham, Alabama 35203  
rrice@rice-lawfirm.com

/s/ Elizabeth H. Huntley  
Of Counsel